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Filed: November 20, 2001
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REMARKS

Applicant notes with appreciation the telephone interview granted by the Examiner with the undersigned on July 20, 2004 and an Interview Summary related to this interview is submitted concurrently herewith. As noted in the Interview Summary, the Examiner and the undersigned agreed that the claims with certain amendments would be allowable. Applicant amended the claims as discussed in the interview on July 26, 2004 and sent the Amendment to the Examiner's personal fax number. However, since the Amendment was never sent to the official fax number, it was never entered. Applicant is now resubmitting these amendments and respectfully submits that the claims are in condition for allowance.

Applicant has cancelled claims 1-14 and 30-34. Applicant has amended claims 35 and 54 to state that the stabilizing rib is "directly under" the channel. Applicant has also added new claims 55 and 56 and these claims are supported by original Claim 1. Claims 57-60 have been added and correspond to original claims 30 and 32-34 except that they include the toneable conduit description from claim 35.

In addition to claims 35-60, Applicants have added two additional claim sets. Claims 61-86 correspond to claims 35-60 except that they state that the stabilizing rib supports the channel instead of stating that the stabilizing rib is "directly under" the channel. Similarly, Claims 87-112 correspond to claims 35-60 except that they state that the stabilizing rib is on the same radius as the channel instead of stating that the stabilizing rib is "directly under" the channel. Applicant respectfully submits that these claims are supported by the specification and drawings and requests entry of these amendments. Based on these amendments, Claims 35-112 are pending in the present application.

As discussed in the telephone interview, the combination of Sherlock, Pelzer and Nakamura fails to teach or suggest a stabilizing rib extending longitudinally along the interior surface of the wall, located radially inward from the channel, and "directly under", "supporting" or "on the same radius as" the channel. Accordingly, Applicant respectfully requests that the rejections based on these references be withdrawn.

Applicant respectfully submits that all the claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested in due course. If any minor

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informalities need to be addressed, the Examiner is directed to contact the undersigned attorney by telephone to facilitate prosecution of this case.

It is noted that the Applicant recently obtained a translation of German reference DE 2 248 441 cited in the International Search Report. Applicants are providing this translation concurrently herewith in an Information Disclosure Statement along with the form PTO-1449. Applicant respectfully requests that the Examiner consider this reference before taking further action on this present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

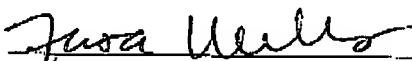


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CERTIFICATION OF FACSIMILE TRANSMISSION

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Teresa Wells

Jan. 20, 2005
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Appl. No.: 09/989,289
Applicant(s): Morrow et al.
Filed: November 20, 2001
Art Unit: 2831
Examiner: Anton B. Harris
Title: TONEABLE CONDUIT AND METHOD OF PREPARING SAME

Confirmation No.: 9536

Docket No.: 030879.238175
Customer No.: 00826

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Sir:

A telephonic interview in the above-referenced matter occurred on July 20, 2004 between Examiner Harris and Applicant's representative, Drew Meunier. Applicant provides below a summary of the interview. It is noted that this summary was previously sent to the Examiner on July 26, 2004 but was sent to the Examiner's personal fax number and not the official fax number so it was not entered.

In the interview, all the pending claims were discussed in view of the Sherlock, Pelzer and Nakamura references. The Examiner and the Applicant's representative agreed that the claims would be allowable if amendments were made to description of the "stabilizing rib." The Applicant's representative agreed to file an Amendment incorporating the claim amendments discussed in the interview.

The Examiner is respectfully requested to enter this Interview Summary into the record for the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of

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this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

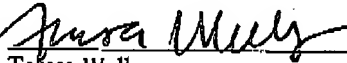


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Tefesa Wells

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